

## **REMARKS**

In the Official Action mailed on **25 September 2006**, the Examiner reviewed claims 1-33. Claims 1, 2, 4, 9-13, 15, 20-24, 26 and 31-33 were rejected under 35 U.S.C. §102(b) as being unpatentable over Suzuoki et al (USPN 5,774,125, hereinafter “Suzuoki”). Claims 3, 5, 6, 14, 16, 17, 25, 27, and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuoki in view of Kaneko (USPN 5,764,237, hereinafter “Kaneko”). Claims 7, 18, and 29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuoki, in view of Narin (USPN 7,039,801 hereinafter “Narin”).

After speaking with Examiner on the telephone on 20 December 2006, it was concluded that the previous amendment has been entered and previously cancelled claims 9, 20, and 31 were referred to by mistake.

### **Rejections under 35 U.S.C. §102(b)**

Independent claims 1, 12, and 23 were rejected as being unpatentable over Suzuoki. Claims 8, 19, and 30 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has amended independent base claims 1, 12, and 23 to include allowable subject matter of dependent claims 8, 19, and 30, respectively.

Dependent claims 8, 19, and 30 have been cancelled without prejudice.

Examiner stated that the indicated allowability of claims 9, 20, and 31, as stated in the previous office action mailed on 07 July 2006, is withdrawn in view of the new prior art. However, Examiner did not indicate that the allowability of claims 8, 19, and 30 had been withdrawn as cited in the previous office action. Furthermore, in the present office action, Examiner states the “uniquely distinct feature” of claims 8, 19 and 30, that would make claims 8, 19, and 30 allowable if rewritten in independent form including all of the limitations of the base claim

and any intervening claims. Therefore, it is the opinion of the Applicant that the subject matter of previously cancelled claims 9, 20, and 31 that was amended into independent claims 1, 12, and 23, respectively, is not necessary for placing independent claims 1, 12, and 23 into condition for allowance. Hence, Applicant has removed the subject matter of previously cancelled claims 9, 20, and 31 from independent claims 1, 12, and 23, and has introduced this subject matter as new claims 34, 35, and 36, respectively.

Hence, Applicant respectfully submits that independent claims 1, 12, and 23 as presently amended are in condition for allowance. Applicant also submits that claims 2-7, 10-11, and 34 which depend upon claim 1, claims 13-18, 21-22, and 35 which depend upon claim 12, and claims 24-29, 32-33, and 36 which depend upon claim 23, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

**CONCLUSION**

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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